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**Attorney for Plaintiff AZIN MORTAZAVI**

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

AZIN MORTAZAVI

Plaintiff,

v.

ROSEMARY MELVILLE, District Director  
USCIS San Francisco District Office  
EMILIO T. GONZALEZ, Director, USCIS  
MICHAEL CHERTOFF, Secretary  
Department of Homeland Security  
MICHAEL MUKASEY, Attorney General,  
Department of Justice  
Defendants

**No. C 07-3768 SI**

**PLAINTIFF'S NOTICE OF  
MOTION AND MOTION FOR  
SUMMARY JUDGMENT**

**NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT**

TO: DEFENDANTS ROSEMARY MELVILLE, EMILIO T. GONZALEZ, MICHAEL  
CHERTOFF, MICHAEL MUKASEY AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on November 30, 2007, before the Honorable  
Susan Illston, Courtroom No. 10, 450 Golden Gate Avenue, San Francisco,  
California, Plaintiff will move this Court for an order granting summary  
judgment in Plaintiff's favor by written motion. NOTE: At a case management

*Mortazavi v. Melville (No. C 07-3768 SI)*  
Notice of Motion and Motion for S.J.

1 conference held on November 9, 2007, the parties agreed that cross-motions  
2 for summary judgment would be submitted on the briefs without oral  
3 argument.

4 This motion is based upon Rule 56 of the Federal Rules of Civil  
5 Procedure, this notice of motion, the following memorandum of points and  
6 authorities, the administrative record, and the pleadings and records on file in  
7 this matter.

8 Plaintiff hereby moves the Court for an Order directing entry of summary  
9 judgment in favor of plaintiff and against defendants, Rosemary Melville, et al,  
10 on the cause of action and for the relief prayed for in Plaintiff's complaint,  
11 pursuant to Rule 56(a) of the Rules of Civil Procedure. This motion is made on  
12 the ground that there are no genuine triable issues of material fact, and that  
13 Plaintiff is entitled to judgment as a matter of law.

14  
15 Dated: November 30, 2007  
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17 \_\_\_\_\_/s/\_\_\_\_\_  
18 Kip Evan Steinberg  
19 Attorney for Plaintiff MORTAZAVI  
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